

REMARKS

Claims 1, 3-8 and 10-14 remain pending in the application.

The Applicant respectfully requests that the Examiner initial and return a copy of the IDS filed on March 3, 2009.

Claims 1, 3-8 and 10-14 over Nortel in view of KIV-7

In the Office Action, claims 1, 3-8 and 10-14 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Nortel article Securing Voice across the Internet ("Nortel") in view of The Complete PC Solution for the KIV-7 ("KIV-7"). The Applicant respectfully traverses the rejection.

Claims 1, 3-8 and 10-14 recite, *inter alia*, a **payload** of an **encapsulated Type 1 encrypted data stream IP packet** that contains **routing information** for routing the encapsulated Type 1 encrypted data stream to a **computing device and an analog communications device**.

The Examiner acknowledged that Nortel appears to teach their Nortel Networks Internet Telephones eliminate the need for a traditional voice line by using a single Internet connection for both voice and data. (see page 2, col. 1, lines 7-13). Thus, Nortel **teaches away** from an **analog communications device** by allowing an office to **ELIMINATE** their **analog** voice service, and replace it with a single Internet connection. A prior art reference must be considered **in its entirety**, i.e., as a whole, including portions that would **lead away** from the claimed invention. MPEP §2141.02 (citing *W.L. Gore & Assoc. v. Garlock, Inc.*, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984)).

Moreover, modifying Nortel to include routing information to an **analog communications device** would change the principle operation of its **ALL digital communication** system to further include **analog communications**. The Examiner is reminded that the proposed modification cannot change the principle operation of a reference or render it unsatisfactory for its intended purpose. "If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious."

MPEP § 2143.02 (Citing *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). "If the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification." *Id.* (Citing *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)).

KIV-7 was relied on to allegedly teach a Type 1 encryption unit. (see Office Action, page 11) A thorough reading of KIV-7 fails to teach use with analog communications, much less a payload of an encapsulated Type 1 encrypted data stream IP packet that contains routing information for routing the encapsulated Type 1 encrypted data stream to a computing device **and** an analog communications device, as recited by claims 1, 3-8 and 10-14.

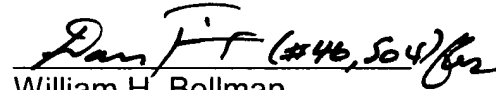
Nortel and KIV-7, either alone or in combination, fail to disclose, teach or suggest a payload of an encapsulated Type 1 encrypted data stream IP packet that contains routing information for routing the encapsulated Type 1 encrypted data stream to a computing device **and** an analog communications device, as recited by claims 1, 3-8 and 10-14.

Accordingly, for at least all the above reasons, claims 1, 3-8 and 10-14 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and/or rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dan F. (#46,504) for", is written over a horizontal line.

William H. Bollman

Reg. No.: 36,457

Tel. (202) 261-1020

Fax. (202) 887-0336

MANELLI DENISON & SELTER PLLC

2000 M Street, N.W. 7th Floor

Washington D.C. 20036-3307

WHB/df